

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention made by the Collector & District Magistrate, West Godavari District, Eluru in respect **Sri Mahankali Simhachalam, S/o. Sambaiah, aged 55 years. R/o. Benarjipeta of Eluru Mandal, West Godavari District** - Confirmed – Orders – Issued.

GENERAL ADMINISTRATION (LAW & ORDER.II) DEPARTMENT

G.O.Rt.No.1531

Dated:03-04-2012

Read the following:-

1. Order of detention in Proc Rc.No.A4/541/2011,dt.29-2-2012. of the Collector & District Magistrate, West Godavari District, Eluru.
2. G.O.Rt. No.1052,G.A. (L&O.II) Dept., dated 9-3-2012.
3. From the Advisory Board, Report, dated: 21-03-2012.

ORDER:

WHEREAS the Collector & District Magistrate, West Godavari District, Eluru has made an order of detention, vide reference first read above under section 3 (2) r/w. sec. 3(1) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against Sri Mahankali Simhachalam, S/o. Sambaiah, aged 55 years. R/o. Benarjipeta of Eluru Mandal, West Godavari District, who had been indulged in 'boot legging' activities of procurement, possession of I.D. liquor for the purpose of sale in contravention of A.P. Prohibition (Amendment) Act,1997, with a view to prevent him from further indulging in a manner prejudicial to the maintenance of public order;

2. AND WHEREAS the Government accorded approval to the said detention order under sub-section (3) of section 3 of the Act, vide Government Order second read above;

3. AND WHEREAS the Advisory Board on Preventive Detentions, constituted under section 9 of the said Act, comprising of Justice Sri T.L.N. Reddy (Retired), Chairman and two other Members, reviewed the case on 21-3-2012 and after having heard the detenu and the Investigating Officers and also upon perusing the grounds of detention and the connected records, has reported that in its opinion "there is sufficient cause for the detention of the detenu, Sri Mahankali Simhachalam, S/o. Sambaiah, aged 55 years. R/o. Benarjipeta of Eluru Mandal, West Godavari District".

4. WHEREAS, the Government on careful examination of the entire record, have observed that the detenu, Sri Mahankali Simhachalam, was involved in as many as in (three) cases viz. 1) Cr.No.152/2010-11, dt. 29-7-2011, 2) Cr.No.271/2011-12, dt.17-10-2011 and 3) . Cr.No. 352/2911-12, dt. 7-12-2011 of Eluru Prohibition & Excise Station. All the said cases were registered against him under section 7-A r/w. sec.8(e) of A.P. Prohibition (Amendment) Act,1997 by the Prohibition & Excise Police and in all the three cases he was caught red handed, while he was in possession of I.D. liquor. The Government Chemical Examiner, who examined the samples of contraband seized has opined that it is illicitly distilled liquor, unfit for human consumption and injurious to health. The record also reveals that though the individual was arrested and remanded to judicial custody, he did not mend his activities, and even after his release on bail, he resorted to similar

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offences and again involved in Cr.No.352/2011-12, wherein he was arrested on 7-12-2011 and remanded to judicial custody. This shows the detenu is habituated to illegal bootlegging activities, which are prejudicial to the maintenance of public order and public health. The detaining authority, having taken into consideration of the ill effects of I.D. liquor on the general public health and public order, has passed the order of detention, in order to prevent him from indulging further in such offences, by invoking the provisions under the Act 1 of 1986. The object of the Act, is to prevent recurrence of the offences, which affect the public health and public order. In view of the involvement of individual in series of cases at regular intervals for procurement and possession of ID liquor for the purpose of sale, which is illicitly distilled and injurious to health, the detenu deserves detention for a maximum period as provided under sec. 13 of the Act.

5. NOW, THEREFORE, after due consideration of the report of the Advisory Board and the material available on record, Government, in exercise of the powers conferred under sub-section (1) of section 12 read with section 13 of the said Act, hereby confirm the order of detention made by the Collector & District Magistrate, West Godavari District, Eluru, in the ref. 1st read above and direct that the detention of Sri Mahankali Simhachalam, S/o. Sambaiah, aged 55 years. R/o. Benarjipeta of Eluru Mandal, West Godavari District, be continued for a period of 12 (Twelve) months from the date of his detention, i.e. **02-03-2012**.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHR PRADESH)

PANKAJ DWIVEDI
CHIEF SECRETARY TO GOVERNMENT

To

Sri Mahankali Simhachalam, S/o. Sambaiah, aged 55 years. R/o.
Benarjipeta of Eluru Mandal, West Godavari District **through the
Superintendent, Central Prison, Rajahmundry, East Godavari
District.**

The Superintendent, Central Prison, Rajahmundry, East Godavari District.
(with instructions to serve the order on the detenu immediately
under proper acknowledgement and arrange to read over and
explain the contents therein to the detenu in the language known to
him and report compliance to Government)

The Collector and District Magistrate, West Godavari District, Eluru
The Prohibition & Excise Superintendent, Rajendranagar, Bhimavaram,
West Godavari District.

Copy to:

The Director General of Police, A.P., Hyderabad.

The Director General of Prisons and Correctional Services, A.P., Hyderabad.

The Inspector General of Police (Intelligence), A.P., Hyderabad.

Sf/sc

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)